

SENATE BILL 3409  
By Jackson

AN ACT to amend Tennessee Code Annotated, Title 68,  
relative to nursing homes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-256, is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following new subsections (a) and (b):

(a) All nursing homes, as defined in §68-11-201, shall initiate a criminal background check on any person who is employed by the facility in a position which involves providing direct care to a resident or patient, prior to employment.

(b) Any person who applies for employment in a position which involves providing direct care to a resident or patient in such a facility shall consent to at least two (2) of the following:

(1) Provide past work and personal references, other than references from relatives, to be checked by the nursing home;

(2) Agree to the release and use of any and all information and investigative records necessary for the purpose of verifying whether the individual has been convicted of a criminal offense in the state of Tennessee, to either the nursing home or its agent, or to any agency that contracts with the state of Tennessee, or to any law enforcement agency, or to any other legally authorized entity;

(3) Supply a fingerprint sample and submit to a state criminal history records check to be conducted by the Tennessee bureau of investigation, or a

state and federal criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation;

(4) Release any information required for a criminal background investigation by a professional background screening organization or criminal background check service or registry.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.